

FOURTH DAY

(Friday, January 13, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called and the following Members were present:

Mr. Speaker.	Hicks.
Adamson.	Hill of Brazoria.
Aikin.	Hill of Webb.
Alexander.	Hodges.
Alsup.	Holekamp.
Anderson	Holland.
of Bexar.	Holloway.
Anderson	Hoskins.
of Johnson.	Huddleston.
Baker.	Hughes.
Barrett.	Hunt.
Barron.	Hyder.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jefferson.
Bradley.	Johnson
Burns.	of Dimmit.
Butler.	Johnson
Calvert.	of Anderson.
Camp.	Jones of Runnels.
Canon.	Jones of Shelby.
Cathey.	Jones of Atascosa.
Caven.	Kayton.
Chastain.	Kyle of Palo Pinto.
Clayton.	Kyle of Hays.
Colson.	Laird.
Coombes.	Latham.
Cowley.	Lemens.
Crossley.	Leonard.
Daniel.	Lindsey.
Davidson.	Lotief.
Dean.	Magee.
Devall.	Mackay.
Dunagan.	Mathis.
Dunlap.	McClain.
Duvall.	McCullough.
Dwyer.	McDougald.
Engelhard.	McGregor.
Fain.	McKee.
Few.	Merritt.
Fisher.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Munson.
Graves.	Nicholson.
Griffith.	Palmer.
Haag.	Parkhouse.
Hankamer.	Patterson.
Harman.	Pavlica.
Harris.	Pope.
Harrison.	Puryear.
Hartzog.	Ramsey.
Head.	Ratliff.
Hester.	Ray.

Reader.	Steward.
Reed of Bowie.	Stinson.
Reed of Dallas.	Stovall.
Renfro.	Sullivant.
Riddle.	Tarwater.
Roberts.	Tennyson.
Rogers	Thomas.
of Ochiltree.	Tillery.
Rogers of Hunt.	Townsend.
Rollins.	Turlington.
Ross.	Van Zandt.
Russell.	Vaughan.
Savage.	Walker.
Scarborough.	Weinert.
Scott.	Wells.
Shannon.	West.
Shults.	Winningham.
Smith.	Wood.
Stanfield.	Young.

Absent—Excused.

Greathouse.	Wagstaff.
Long.	

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Wagstaff for today and for Monday and Tuesday of next week, on motion of Mr. Ford.

Mr. Long for today, on motion of Mr. Ramsey.

(Mr. Mathis in the Chair.)

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Daniel and Mr. Burns:

H. B. No. 30, A bill to be entitled "An Act providing that in suits for damages, contributory negligence shall not defeat a recovery, but may diminish the recoverable damages in proportion to the amount of negligence attributable to the plaintiff or to the deceased where injury causes death, except where the violation by the defendant of a statute enacted for the safety of employes contributed to the injury or death of an employe; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Caven and Mr. Daniel:

H. B. No. 31, A bill to be entitled "An Act to simplify procedure in the appellate courts by limiting reversals to errors but for which a different judgment probably would have been entered; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Caven and Mr. Daniel:

H. B. No. 32, A bill to be entitled "An Act to amend Chapter 8, of Title 42, of the Texas Revised Civil Statutes of 1925, by adding thereto, Article 2190a, providing it shall not be misconduct for a jury to know and discuss the effect of answers to issues; and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Caven and Mr. Jackson:

H. B. No. 33, A bill to be entitled "An Act to amend Section 3, of Chapter 88, of the Acts of the Second Called Session of the Forty-first Legislature of the State of Texas, so as to require applicants for registration of vehicles subject to registration under said chapter to exhibit to the tax collector, receipts for ad valorem State and county and city taxes, where such applicant resides in an incorporated city, which became due on such vehicle during the preceding year, or in lieu thereof satisfy such collector by affidavit that such vehicle was not subject to taxation during the preceding year, making it unlawful for any tax collector to issue registration receipt or license plates, or for any applicant to receive the same contrary to the provisions of this Act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Thomas:

H. B. No. 34, A bill to be entitled "An Act amending Article 2691, Revised Statutes of Texas, 1925, and declaring an emergency."

Referred to Committee on Education.

By Mr. Hoskins:

H. B. No. 35, A bill to be entitled "An Act making an appropriation to remove the remains of certain Texas patriots, and providing for monuments for such patriots, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. McGregor and Mr. Morrison:

H. B. No. 36, A bill to be entitled "An Act to repeal Sections 14, 15, 16, 17, 18, and 19, of Article 6701, of the Complete Texas Statutes of 1928, the same being the provisions to test headlights, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Jackson:

H. B. No. 37, A bill to be entitled "An Act granting permission to the Lee Moor Contracting Company, a corporation of El Paso, Texas, or its assigns, to bring suit against the State of Texas and the State Highway Commission of Texas, in the District Court of El Paso County, Texas, to ascertain the amount, if any, due it as damages in connection with the construction of a twenty-mile strip of the El Paso-Hudspeth Counties highway, being Job. No. 72-E, S. P. No. 776-C."

Referred to Committee on State Affairs.

By Mr. Rogers of Ochiltree:

H. B. No. 38, A bill to be entitled "An Act to authorize the selection of school depositories for independent districts in certain counties regardless of the population of said districts; and declaring an emergency."

Referred to Committee on Education.

By Mr. Van Zandt:

H. B. No. 39, A bill to be entitled "An Act requiring school districts, road districts, and other districts that levy, assess, and collect taxes, to file annually a list of delinquent taxes on real property with the county collectors of taxes, and providing that if a district fails to file such delinquent tax list it shall lose its lien as against a purchaser or mortgagee; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Long:

H. B. No. 40, A bill to be entitled "An Act to amend Sections 1, 3, 4, 5, 5-a, 8, and 10, of Article 8307 (Part II), of the Revised Civil Statutes of Texas of 1925; and further

amending Section 1, by adding thereto Sections 1-a and 1-b; and further amending Section 4, by adding thereto Section 4-b; and further amending Article 8307, by adding thereto certain new sections immediately following Section 12 of said Article, to be known as Sections 13, 14, 15, 16, 17, 18, and 19; and amending Articles 8306, 8307, 8308, and 8309, of the Revised Civil Statutes of Texas of 1925, by substituting for the words 'Board' and 'Industrial Accident Board,' the words 'Commission' and 'Industrial Accident Commission'; etc."

Referred to Committee on State Affairs.

By Mr. Long:

H. B. No. 41, A bill to be entitled "An Act to provide for the sale of excess in surveys of land heretofore patented by the State and Republic of Texas, or granted by former governments."

Referred to Committee on Public Lands and Buildings.

By Mr. Van Zandt:

H. B. No. 42, A bill to be entitled "An Act to amend Article 4195, Chapter 8, Title 69, of the Revised Civil Statutes of 1925, relating to sales of real estate by guardians and loans for the improvement of real estate so as to eliminate any reference to making loans in said Article 4195, and to amend Article 4211, Chapter 8, Title 69, so as to include within the loans now authorized by Article 4211, loans to be made for improvements and repairs on real estate, and to further amend Article 4211, so as to provide that the report and approval of such loans shall be made in the same manner as private sales by guardians; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Colson, Mr. Johnson of Anderson, Mr. Mathis, Mr. Butler, Mr. McGregor, Mr. Hill of Brazoria, Mr. Holland, Mr. Palmer, and Mr. Morse:

H. B. No. 43, A bill to be entitled "An Act creating a District Court for Montgomery County, Texas, constituted and to be known as the One Hundred and Twenty-seventh Judicial

District Court of Texas; prescribing the terms for said court, fixing the duration of this Act; providing the disposition of the records of said Court at the expiration of said One Hundred and Twenty-seventh Judicial District Court, etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Van Zandt:

H. B. No. 44, A bill to be entitled "An Act to amend Article 3325, Article 3326, Article 3369, and Article 3370, Chapter 4, Title 54, of the Revised Civil Statutes of 1925, relating to the time to file applications for the grant of Letters Testamentary or of administration upon an estate so as to provide that such applications must be filed within two years after the death of the testator or intestate and not later; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Van Zandt:

H. B. No. 45, A bill to be entitled "An Act regulating and fixing the rights of parties to contracts or conveyances executed by persons at the time who are of unsound mind or otherwise incompetent, where no adjudication or incompetency has been made by a court of competent jurisdiction, and also, where such adjudication has been made but no lawful guardian of the estate of such incompetent has been appointed; etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Van Zandt:

H. B. No. 46, A bill to be entitled "An Act to amend Article 2039, Chapter 3, Title 42, of the Revised Civil Statutes of 1925, relating to citation by publication so as to provide that in actions affecting the title to, possession of, interest in, or lien on land, a non-resident whose residence or address is disclosed by the records in the county clerk's office affecting the title to such land, or interest therein, shall be served, if possible, as provided by Articles 2037 and 2038 of this Chapter, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Morse, Mr. Mathis, Mr. Holland, and Mr. Bradley.

H. B. No. 47, A bill to be entitled "An Act to prohibit the wilful taking, injury, or destruction of trees, shrubs, vines, flowers, and moss on land of another, or on land reserved, set aside, or maintained by the State as a public highway or public park, or as a refuge or sanctuary for wild animals, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Dunagan, Mr. Russell, and Mr. McClain:

H. B. No. 48, A bill to be entitled "An Act amending Article 7046, of the Revised Civil Statutes of the State of Texas for 1925, providing that poll tax of one dollar (\$1) only, shall be collected on every person between the ages of 21 and 60 years, making certain exceptions; and declaring that no poll tax shall be levied for general revenue purposes, and that no county shall levy a poll tax, and providing where unorganized counties may pay; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Alsup and Mr. Lemens:

H. B. No. 49, A bill to be entitled "An Act to repeal Sections 14, 15, 16, 17, 18, 19, 20, 24, and 25, of Chapter 26, Acts of the Regular Session of the Thirty-ninth Legislature of Texas, regulating the testing of automobile lights, and operation of motor vehicles, tractors, motorcycles, and bicycles in Texas, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. McGregor, Mr. Burns, and Mr. Cathey:

H. J. R. No. 3, Proposing to repeal Article V, of the Constitution of the State of Texas, the same being the Article creating the Judiciary Depart-

ment of the State and to adopt and enact a new Article V in lieu thereof, reorganizing the Judiciary Department of the State of Texas.

Referred to Committee on Constitutional Amendments.

PROVIDING FOR JOINT SESSION OF THE HOUSE AND SENATE TO COUNT VOTES CAST FOR GOVERNOR AND LIEUTENANT- GOVERNOR

Mr. McGregor offered the following resolution:

H. C. R. No. 2, Providing for a Joint Session of the House and Senate to count votes cast for Governor and Lieutenant-Governor.

Resolved by the House, the Senate concurring, That there shall be held in the Hall of the House of Representatives at 2 o'clock p. m., January 13, 1933, a Joint Session of the Legislature for the purpose of receiving and canvassing the returns of the election for the executive officers of the State of Texas, and opening said returns and publishing said returns and the results thereof, in the presence of both houses of the Legislature, and for the further purpose of then and there determining officially what persons received the highest number of votes for the said respective executive offices of the State of Texas, and for the further purpose of making declaration as to the election of said officers.

The resolution was read second time, and was adopted.

PROVIDING FOR THE APPOINT- MENT OF A COMMITTEE TO TABULATE VOTES CAST FOR GOVERNOR AND LIEUTENANT- GOVERNOR

Mr. McGregor offered the following resolution:

H. C. R. No. 3, Providing for a committee to tabulate the votes cast for Governor and Lieutenant-Governor.

Be it resolved by the House, the Senate concurring, That the Speaker of the House and the President of the Senate appoint three Members each from the respective Houses to canvass the returns for Governor and Lieu-

tenant-Governor, at the time, provided in the joint resolution providing for a Joint Session of the two houses for the purpose of canvassing the returns for the officers.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee: Messrs. Daniel, McClain, and Morrison.

PROVIDING FOR THE PAYMENT OF EXPENSES OF THE INAUGURAL CEREMONIES

Mr. McGregor offered the following resolution:

H. C. R. No. 4, Providing for the payment of expenses of inaugural ceremonies.

Whereas, the Senate and House of Representatives of the Forty-third Legislature passed a concurrent resolution authorizing the appointment of a committee from both Houses to make the necessary preparations for the inauguration of Governor Miriam A. Ferguson and Lieutenant-Governor Edgar E. Witt; and,

Whereas, Certain expenses will of necessity occur in carrying out this work properly; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the committee having this work in charge be authorized to spend not more than \$500 in connection with this work and that whatever debts properly incurred, not exceeding the above amount, be paid out of the Contingent Fund of the Forty-third Legislature. Be it further

Resolved, That the committee appointed to perform this service furnish the Speaker of the House and the Lieutenant-Governor an itemized account of indebtedness incurred, approved by the chairman of this committee before any vouchers are issued.

The resolution was read second time, and was adopted.

RELATIVE TO THE DRAFTING OF BILLS

Mr. Lotief offered the following resolution:

Whereas new Members of the House of Representatives are inexperienced in preparing and drawing bills, and

Whereas many Members have bills that they want prepared in a proper and legal manner, and

Whereas the Office of Attorney General is busy with the legal affairs of the State that must be attended to, and the department does not have time to adequately serve the Members of the House of Representatives in the preparation of bills, therefore be it

Resolved, That the House of Representatives employ two competent lawyers to remain in the service of the Members of the House for the purpose of drawing such bills as the Members may request said attorneys to draw; and that they be paid the sum of seven dollars and fifty cents (\$7.50) per day for their services.

LOTIEF,
BURNS.

The resolution was read second time.

Mr. Metcalfe offered the following amendment to the resolution:

Amend resolution to provide for one lawyer instead of two.

Mr. Morse offered the following substitute for the amendment:

Amend the resolution to provide that "said lawyers may be discharged as soon as the Speaker decides their services are no longer necessary—not to exceed 30 days."

MORSE,
SAVAGE.

Mr. Reed of Bowie moved to table the resolution, and the motion to table was lost.

Question recurring on the substitute amendment by Mr. Morse, it was adopted.

The amendment, as substituted, was then adopted.

Mr. Moore offered the following amendment to the resolution:

Amend said resolution by adding the following: "provided such lawyers shall not accept fees from others concerning any matters before this Legislature while holding such positions."

MOORE,
MORSE.

The amendment was adopted.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—92

Adamson.	Johnson
Alexander.	of Dimmit.
Alsup.	Johnson
Anderson	of Anderson.
of Johnson.	Jones of Shelby.
Baker.	Jones of Atascosa.
Barron.	Kyle of Palo Pinto.
Beck.	Kyle of Hays.
Bedford.	Lindsey.
Bourne.	Lotief.
Bradley.	Magee.
Burns.	Mackay.
Butler.	McClain.
Calvert.	McCullough.
Camp.	McGregor.
Canon.	Merritt.
Caven.	Metcalfe.
Chastain.	Mitcham.
Clayton.	Moore.
Colson.	Morrison.
Cowley.	Morse.
Daniel.	Palmer.
Davidson.	Parkhouse.
Engelhard.	Patterson.
Few.	Pavlica.
Fisher.	Pope.
Ford.	Puryear.
Fuchs.	Ramsey.
Glass.	Renfro.
Golson.	Roberts.
Goodman.	Rogers
Graves.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Ross.
Hartzog.	Savage.
Head.	Scarborough.
Hester.	Shults.
Hicks.	Smith.
Hill of Brazoria.	Stinson.
Hodges.	Stovall.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Tillery.
Hughes.	Townsend.
Hunt.	Turlington.
Hyder.	Wells.
Jackson.	West.
Jefferson.	Young.

Nays—36

Aikin.	Huddleston.
Barrett.	James.
Cathey.	Kayton.
Coombes.	Laird.
Dean.	Latham.
Devall.	Lemens.
Dunagan.	McKee.
Fain.	Munson.
Good.	Nicholson.
Haag.	Ratliff.
Harman.	Ray.
Harris.	Reed of Bowie.

Reed of Dallas.	Sullivant.
Rogers of Hunt.	Van Zandt.
Russell.	Vaughan.
Scott.	Walker.
Stanfield.	Winningham.
Steward.	Wood.

Absent

Anderson	Leonard.
of Bexar.	Mathis.
Crossley.	McDougald.
Dunlap.	Moffett.
Duvall.	Reader.
Dwyer.	Riddle.
Harrison.	Shannon.
Hill of Webb.	Thomas.
Holloway.	Weinert.
Jones of Runnels.	

Absent—Excused

Greathouse.	Wagstaff.
Long.	

REQUESTING ASSISTANCE OF ATTORNEY GENERAL

Mr. McKee offered the following resolution:

Be it resolved by the House of Representatives, That the Attorney General's Department is requested to assign one of his assistants to assist any Member of the House in drafting his bills.

The resolution was read second time.

Mr. Pope raised a point of order on further consideration of the resolution, on the ground that the resolution seeks to change an existing statute.

The Speaker declined to rule on the point of order, stating that the House could determine the point by its vote on the resolution.

On motion of Mr. Burns, the resolution was tabled.

INVITATION TO ATTEND GOVERNOR'S BALL

The Speaker laid before the House and had read the following communication:

January 12, 1933.

Hon. Olan Van Zandt,
House of Representatives,
Austin, Texas.

Dear Sir:

You were present the other night at Elgin and witnessed our old square dances. Please extend a cordial in-

visitation to the Members of the House of Representatives and their friends and all employes of the House to be present at the Gregory Gymnasium at the University before 7:30 p. m. on the night of January 17 for the Governor's Reception.

The old square dances will be staged in their pristine glory as danced in the days of the Texas Republic in the Old Hog Eye neighborhood of Bastrop County.

Several old fiddlers will play the old tunes of Arkansas Traveler, Turkey-in-the-Straw, Cotton-eyed Joe, Billy in the Low Ground, Natches Under the Hill, Buffalo Gals, Soldiers Joy. No modern dances will be permitted before 10 p. m.

The Governor's receiving line will form at 8:45 sharp, and those who expect to pass down the line and give the Governor a snappy greeting are asked to report to Hon. A. W. Griffith and get in line. The Speaker of the House, Hon. Coke Stevenson, will be in the receiving line.

Very truly yours,

T. U. TAYLOR,
Chairman Inaugural Reception,
Gregory Gymnasium.

On motion of Mr. Van Zandt, the House accepted the invitation.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 2, Making appropriation to pay mileage and per diem of Members, and to pay salaries and per diem of officers and employes of the Forty-third Legislature.

S. B. No. 3, Making appropriation to pay the contingent expenses of the Regular Session of the Forty-third Legislature.

S. C. R. No. 1, Providing for the adoption of Joint Rules of the House and Senate.

S. C. R. No. 2, Relative to appointing a committee to count the votes of Governor and Lieutenant-Governor, etc.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, January 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 2, Providing for a Joint Session of the House and Senate to count the votes cast for Governor and Lieutenant-Governor, at 2 o'clock p. m., January 13, 1933.

H. C. R. No. 3, Providing for the appointment of a committee to count the votes for Governor and Lieutenant-Governor. The following have been appointed on the part of the Senate: Senators Redditt, Collie, and Duggan.

H. C. R. No. 4, Providing for the payment of expenses of inaugural ceremonies, etc.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

On motion of Mr. Savage, the House, at 12:20 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by Speaker Stevenson.

EMPLOYES ANNOUNCED

The Speaker announced the appointment of the following employes:

Secretary to Mr. Speaker, Meteor N. Frnka.

Secretary to Mr. Speaker, Luther W. Davis.

Secretary to the Chief Clerk, Madge Baker.

Secretary to Mr. Van Zandt, Beatrice M. Van Zandt.

Secretary to Mr. Alsup, Chas. Andrews.

Secretary to Mr. Hicks, R. Daniels.
Clerk to the Chief Clerk, James Wiginton.

Superintendent of committee clerks, E. T. Sterling.

Mailing clerk, Miss Lucy Reed.

Assistant mailing clerk, Katie Harper.

Supply clerk, Morris Lively.

Assistant supply clerk, Neil Heath.

Assistant to the Calendar Clerk, Floris Smith.

Assistant to the Calendar Clerk, Nellie Lowdey.

Assistant to the Journal Clerk, Gussie Evans.

Committee Clerks

(Some to be on part-time basis)

Wilbur Smith, Bob Knight, Roy Cannon, G. W. Terrell, R. Ligon, D. P. Hathaway, Tom Birdwell, J. B. Kirgan, Burl Bryant, Robt. Jennings, Max Wenmohs, T. J. Rogers, B. F. Smith, P. Estlack, E. P. Fortner, T. W. Kennington, J. H. Walker, R. Morehead, E. A. Pfeil, Horace Walker, C. W. Darwin, T. B. Cockrell, C. V. Scott, Ned Delaney, M. J. Bennett, Jr., Wilson Wilhelm, Emil Kuhatscheck, Calvin Ward, W. O. Alexander, J. Weilscher.

Stenographers, Typists, and Proofreaders

Superintendent of stenographers, Norine Crosby.

Stenographer for Appropriations Committee, Mollie Plemons.

Edna Holder, Kitty Brooks, J. B. Cavender, Anna Paul Allen, Gertrude Tucker, Vernon Howsley, Adeline Blakeley, Frances Nichols, Dorothy Beck, Louise Thomas, Helen Moore, Nella Hill, Jane Tyson, Ruby Turpin, Edith Green, Mabel Gamble, Floye Harding, Jessie Ramsey, Adele Jacobs, Mary Nichols, Murray Brownlee, Lorna Hatch, Lila Moore, Ruth Perry, Donna Mayfield, Neale Bates, Lodusky Reynolds, Estelle Hancock, Lois Tune, Frances Hollister, Merle Carter, Jonnie Mae Watson, Pauline Williams, Pattie Clending, Elise Stinson, Justine Blakesley, Katherine Fogel, Bertha Johnson, Marie Baker, Ouita Moseley, Orlean Ehrlich, Mary Ruth Gaither, Marie Hardy, Helen Burnaman, Garnet Derden, Josephine Price, Frances Parker, Edna Sherman, Carl Wilson, Vivian Riggs, Jean Gearhart, Hiram Pressley, Dorcas Horton, Ima Williams, Ruby Maresh, Francis Welch, Margaret Bremont.

Pages

Page to the Chief Clerk, Gates Steen.

To the Doorkeeper, Olin Crow.

To the Enrolling and Engrossing Rooms, Crim Croft.

To the stenographic force, Jack Young.

Arnold Tompkins, Martin Harris, Ted Theilen, Lester Seick, Bobbie Burkett, James Crane, Jack Merritt, Ben King, J. Wire, Hugh Smith, Clyde Stevenson.

Day houseman, Sam Hanna.

Night houseman, B. B. Gill.

Assistant Sergeant-at-Arms, G. C. Adrian.

Night watchman, J. R. Wheeler.

Assistant night watchman, Callan Graham.

Elevator boy, John Simons.

Operator for voting machine, A. M. Gribble.

Assistant operator for voting machine, J. A. Francis.

COUNTING THE VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR

(In Joint Session)

At the hour of 2 o'clock p. m., fixed by concurrent action of the two House, for the Senate and House of Representatives to meet in Joint Session for the purpose of counting votes for Governor and Lieutenant Governor, cast at the general election, held on Tuesday, the eighth day of November, A. D. 1932, the Honorable Senate was announced at the Bar of the House and, by direction of the Speaker, was admitted.

Escorted by the Secretary of the Senate, Bob Barker, and A. W. Holt, Sergeant-at-Arms of the Senate, the Senators advanced into the Hall and, by direction of the Speaker of the House, occupied seats already prepared for them along the aisle.

The Hon. Walter Woodul, President Pro Tempore of the Senate, by invitation of the Speaker, occupied a seat on the Speaker's stand.

The President Pro Tempore of the Senate then directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the following Senators answered to their names:

Beck	Holbrook
Blackert	Hopkins
Collie	Hornsby
Cousins	Martin
DeBerry	Moore
Duggan	Murphy

Neal	Regan
Oneal	Russek
Pace	Sanderford
Parr	Stone
Poage	Woodruff
Purl	Woodul
Redditt	Woodward

Absent

Fellbaum	Rawlings
Greer	Small
Patton	

Senator Walter Woodul announced a quorum of the Senate present.

The Speaker then directed the Clerk to call the roll of the House.

The roll of the House was called, and the following Members answered to their names:

Mr. Speaker.	Good.
Adamson.	Goodman.
Aikin.	Graves.
Alexander.	Griffith.
Alsup.	Haag.
Anderson	Hankamer.
of Bexar.	Harman.
Anderson	Harris.
of Johnson.	Harrison.
Baker.	Hartzog.
Barrett.	Head.
Barron.	Hester.
Beck.	Hicks.
Bedford.	Hill of Brazoria.
Bourne.	Hill of Webb.
Bradley.	Hodges.
Burns.	Holekamp.
Butler.	Holland.
Calvert.	Holloway.
Camp.	Hoskins.
Canon.	Huddleston.
Cathey.	Hughes.
Caven.	Hunt.
Chastain.	Hyder.
Clayton.	Jackson.
Colson.	James.
Coombes.	Jefferson.
Cowley.	Johnson
Crossley.	of Dimmit.
Daniel.	Johnson
Davidson.	of Anderson.
Dean.	Jones of Runnels.
Devall.	Jones of Shelby.
Dunagan.	Jones of Atascosa.
Dunlap.	Kayton.
Duvall.	Kyle of Palo Pinto.
Dwyer.	Kyle of Hays.
Engelhard.	Laird.
Fain.	Latham.
Few.	Lemens.
Fisher.	Leonard.
Ford.	Lindsey.
Fuchs.	Lotief.
Glass.	Magee.
Golson.	Mackay.

Mathis.	Rogers of Hunt.
McClain.	Rollins.
McCullough.	Ross.
McDougald.	Russell.
McGregor.	Savage.
McKee.	Scarborough.
Merritt.	Scott.
Metcalf.	Shannon.
Mitcham.	Shults.
Moffett.	Smith.
Moore.	Stanfield.
Morrison.	Steward.
Morse.	Stinson.
Munson.	Stovall.
Nicholson.	Sullivant.
Palmer.	Tarwater.
Parkhouse.	Tennyson.
Patterson.	Thomas.
Pavlica.	Tillery.
Pope.	Townsend.
Puryear.	Turlington.
Ramsey.	Van Zandt.
Ratliff.	Vaughan.
Ray.	Walker.
Reader.	Weinert.
Reed of Bowie.	Wells.
Reed of Dallas.	West.
Renfro.	Winningham.
Riddle.	Wood.
Roberts.	Young.
Rogers of Ochiltree.	

Absent—Excused

Greathouse.	Wagstaff.
Long.	

The Speaker announced a quorum of the House present.

The President Pro Tempore of the Senate and the Speaker of the House then stated that the two houses were in Joint Session for the purpose of counting the votes for Governor and Lieutenant-Governor cast at the last general election.

The President Pro Tempore of the Senate announced the appointment of the following tellers on the part of the Senate: Senators Redditt, Dugan, and Collie.

The Speaker announced the appointment of the following tellers on the part of the House: Messrs. Daniel, McClain, and Morrison.

The joint tellers were announced present, and they at once came forward, and occupied seats already prepared for them.

The Speaker then requested the joint tellers to come forward to receive the returns of the last general election for Governor and Lieutenant-Governor, which returns had been

duly delivered by the Secretary of State to the Speaker of the House of Representatives of the Forty-third Legislature.

The joint tellers then proceeded to the work of counting the votes cast for Governor and Lieutenant-Governor at the last general election.

(Pending the count of the vote, Mr. Mathis occupied the Chair temporarily.)

When the count was completed, the President Pro Tempore of the Senate and the Speaker of the House announced to the Joint Session that the joint tellers had completed the count of the votes, and that the Joint Session is now ready to receive the results and to have the report of the joint tellers.

John W. Hornsby, on the part of the Senate, and T. H. McGregor, on the part of the House, submitted the following report:

County	For Governor						For Lieut	
	Ferguson	Bullington	Armstrong	Edwards	Howe	Hiett	Witt	Bass
Anderson	3,664	1,165	1	11	.....	.....	4,704	159
Andrews	131	60	.....	.....	.....	.....	193	2
Angelina	359	1,416	1	3	.....	.....	4,925	153
Aransas	174	145	1	2	.....	.....	304	27
Archer	1,054	635	.....	1	.....	.....	1,621	81
Armstrong	366	430	2	.....	.....	.....	845	41
Atascosa	1,637	641	1	5	.....	2	2,140	168
Austin	2,539	536	1	.....	.....	.....	3,080	114
Bailey	615	345	1	1	.....	.....	872	73
Bandera	658	637	.....	4	.....	1	930	346
Bastrop	2,470	758	.....	1	.....	.....	3,144	110
Baylor	931	497	3	1	.....	.....	1,454	36
Bee	1,514	1,170	4	9	.....	.....	2,379	294
Bell	5,395	2,874	2	8	.....	.....	7,991	135
Bexar	30,731	15,935	10	103	9	4	40,638	6,050
Blanco	995	390	5	2	.....	1	1,278	1 24
Borden	200	40	.....	.....	.....	.....	251	5
Bosque	2,518	902	.....	.....	.....	.....	3,334	161
Bowie	3,827	1,709	6	8	.....	1	5,471	304
Brazoria	2,309	1,359	.....	3	.....	.....	3,047	532
Brazos	1,656	1,036	2	3	.....	.....	2,673	90
Brewster	526	457	.....	1	.....	.....	913	88
Briscoe	675	318	.....	1	.....	.....	993	27
Brooks	514	196	.....	.....	.....	.....	638	63
Brown	2,698	1,504	4	7	.....	1	4,194	227
Burleson	2,331	313	.....	49	.....	.....	2,530	.....

County	For Governor						For Lie	
	Ferguson	Bullington	Armstrong	Edwards	Howe	Hiett	Witt	Bass
Burnet	1,280	748	2	.....	.....	1	1,974	104
Caldwell	2,387	1,176	.....	.....	.....	.....	3,528	142
Calhoun	586	335	.....	.....	.....	.....	877	70
Callahan	1,635	593	3	4	.....	.....	2,169	.....
Cameron	4,545	4,241	.....	21	1	2	7,300	1,636
Camp	1,013	392	.....	1	.....	.....	1,482	44
Carson . . . . .	.....	.....	.....	.....	.....	.....	.....	.....
Cass	2,557	658	1	.....	.....	.....	3,213	156
Castro	638	377	.....	3	.....	.....	966	50
Chambers	638	215	1	3	.....	.....	898	62
Cherokee	2,863	1,424	3	4	.....	.....	4,288	123
Childress	1,307	886	5	9	.....	.....	2,148	102
Clay	1,568	895	3	4	.....	.....	2,428	94
Cochran	247	154	.....	7	.....	.....	371	18
Coke	666	336	1	6	.....	.....	995	50
Coleman	1,949	1,119	2	6	.....	.....	3,003	146
Collin	5,040	1,910	7	22	1	.....	6,629	446
Collingsworth	1,167	669	9	6	.....	.....	1,825	88
Colorado	2,150	922	1	7	.....	1	2,784	281
Comal	1,795	534	1	3	.....	.....	2,221	169
Comanche	2,058	1,203	4	7	.....	.....	3,242	114
Concho	841	336	.....	3	1	.....	1,143	40
Cooke	2,336	1,894	1	10	.....	.....	4,043	26
Coryell	2,523	1,016	1	2	.....	.....	3,430	123
Cottle	844	356	2	.....	.....	.....	1,201	34
Crane	257	199	.....	.....	.....	.....	413	36

Crockett	147	348	1	.....	1	.....	404	92
Crosby	1,029	637	.....	.....	.....	.....	1,647	69
Culberson	193	115	1	.....	.....	.....	302	11
Dallam	895	1,418	2	9	2	1	2,011	302
Dallas	21,132	25,836	103	193	9	5	42,572	5,567
Dawson	1,119	699	1	.....	.....	.....	1,744	84
Deaf Smith	547	1,038	.....	.....	.....	.....	1,467	170
Delta	1,541	461	2	1	.....	.....	2,039	65
Denton	3,358	2,307	3	13	1	3	5,386	348
DeWitt	2,346	1,161	2	2	.....	.....	3,333	231
Dickens	1,103	421	.....	5	1	1	1,511	42
Dimmit	509	574	.....	.....	.....	.....	915	167
Donley	891	912	.....	1	1	1	1,726	95
Duval	1,495	97	.....	.....	.....	.....	1,565	31
Eastland	3,209	2,272	3	26	.....	.....	5,171	380
Ector	267	297	.....	.....	.....	20	535	24
Edwards	406	395	.....	1	.....	1	618	156
Ellis	4,708	2,634	11	19	.....	.....	7,284	308
El Paso	7,514	6,558	4	101	1	.....	11,891	2,248
Erath	.....	.....	.....	.....	.....	.....	.....	.....
Falls	3,218	939	.....	12	.....	.....	4,102	133
Fannin	3,872	1,791	.....	8	.....	.....	5,473	310
Fayette	4,383	878	.....	1	1	1	5,134	169
Fisher	1,028	489	2	.....	.....	.....	1,496	64
Floyd	1,125	97	2	1	.....	1	2,036	107
Foard	577	344	10	7	.....	.....	889	49
Fort Bend	2,491	750	1	4	.....	.....	3,160	117
Franklin	1,035	279	2	.....	.....	.....	1,337	40
Freestone	1,692	901	.....	5	.....	.....	2,548	109
Frio	705	491	.....	.....	.....	.....	1,013	98
Gaines	293	270	1	6	.....	.....	520	26
Galveston	9001	3,244	7	20	4	3	10,865	1,377
Garza	510	383	.....	4	.....	.....	837	62
Gillespie	2,038	1,303	2	6	.....	1	2,496	792
Glasscock	135	123	.....	.....	.....	.....	.....	.....
Goliad	1,227	520	.....	1	1	3	1,575	161

County	For Governor						For Lie	
	Ferguson	Bullington	Armstrong	Edwards	Howe	Hiett	Witt	Bass
Gonzales	2,381	1,312	4	.....	.....	.....	3,514	238
Gray	2,130	1,763	6	9	1	1	3,621	338
Grayson	5,856	5,154	7	23	.....	.....	10,413	988
Gregg	4,101	1,467	.....	10	.....	.....	4,877	268
Grimes	1,312	888	1	2	.....	.....	2,173	88
Guadalupe	2,995	1,445	4	3	.....	1	3,677	718
Hale	1,608	1,382	10	4	.....	.....	3,200	283
Hall	1,141	993	.....	4	15	.....	2,140	70
Hamilton	1,829	761	.....	1	2	.....	.....	.....
Hansford	500	369	.....	17	.....	.....	818	67
Hardeman	1,310	755	.....	1	.....	.....	2,080	76
Hardin	2,370	340	.....	.....	.....	.....	2,688	42
Harris	32,717	22,382	20	200	39	6	49,787	5,982
Harrison	2,148	2,344	1	13	.....	.....	4,207	306
Hartley	329	335	.....	.....	.....	.....	598	70
Haskell	1,666	831	.....	3	.....	.....	2,451	95
Hays	1,207	963	.....	.....	.....	.....	2,167	80
Hemphill	355	691	1	1	1	.....	945	103
Henderson	2,999	856	1	5	.....	.....	3,626	149
Hidalgo	7,798	5,962	42	39	4	10	10,238	3,410
Hill	3,632	1,878	5	1	.....	.....	.....	.....
Hockley	1,175	412	1	25	4	.....	1,562	70
Hood	784	435	1	3	.....	1	1,169	77
Hopkins	2,700	1,311	.....	4	.....	.....	3,949	180
Houston	2,166	1,029	.....	3	.....	.....	3,153	48

Howard	1,748	1,112	1	1	.....	.....	2,804	123
Hudspeth	198	178	.....	.....	.....	.....	359	18
Hunt	.....	.....	.....	.....	.....	.....	.....	.....
Hutchinson	1,341	1,181	5	15	2	.....	2,139	359
Irion	239	213	.....	7	.....	.....	430	20
Jack	882	760	3	4	.....	1	1,527	125
Jackson	838	658	.....	4	.....	.....	1,368	130
Jasper	1,489	579	4	.....	.....	.....	2,000	70
Jeff Davis	115	182	.....	2	.....	.....	287	3
Jefferson	12,515	8,936	6	57	7	2	18,376	2,808
Jim Hogg	302	170	.....	.....	.....	.....	441	45
Jim Wells	1,096	519	1	1	2	.....	1,498	116
Johnson	2,962	2,312	8	8	.....	.....	5,085	358
Jones	1,968	1,108	3	12	.....	1	3,043	126
Karnes	1,953	706	1	.....	.....	1	2,578	123
Kaufman	2,940	1,344	3	.....	.....	.....	4,224	177
Kendall	845	778	.....	2	.....	3	1,112	479
Kenedy	117	12	.....	.....	.....	.....	125	4
Kent	451	131	.....	3	.....	.....	570	11
Kerr	1,412	1,425	.....	9	.....	1	2,241	542
Kimble	591	449	.....	2	.....	.....	930	96
King	190	38	.....	.....	.....	.....	231	.....
Kinney	562	227	1	.....	.....	.....	704	83
Kleberg	1,201	698	3	7	.....	.....	1,811	136
Knox	1,106	543	3	3	.....	.....	1,638	61
Lamar	4,166	1,913	.....	12	1	2	6,139	167
Lamb	2,049	1,128	.....	10	1	.....	3,042	179
Lampasas	1,097	885	.....	1	.....	.....	1,797	84
LaSalle	680	214	.....	1	.....	.....	822	84
Lavaca	4,041	860	4	2	.....	.....	4,787	151
Lee	1,571	497	.....	.....	.....	.....	960	67
Leon	1,512	600	.....	2	.....	.....	2,014	63
Liberty	1,935	818	.....	7	.....	.....	2,626	177
Limestone	3,179	1,324	7	3	.....	1	4,513	118
Lipscomb	342	877	.....	7	.....	.....	863	344
Live Oak	899	369	1	4	.....	1	1,178	71

County	For Governor						For Lieut	
	Ferguson	Bullington	Armstrong	Edwards	Howe	Hiett	Witt	Bass
Llano	938	473	1	1	.....	.....	1,363	70
Loving	142	61	1	.....	.....	.....	196	15
Lubbock	3,171	2,744	1	14	2	.....	5,536	418
Lynn	1,325	745	.....	8	.....	.....	2,009	60
Madison	958	350	8	1	.....	.....	1,369	49
Marion	714	205	3	1	.....	.....	886	71
Martin	541	203	4	1	.....	5	703	26
Mason	581	596	.....	3	.....	.....	985	153
Matagorda	1,319	1,095	4	6	2	.....	2,125	323
Maverick	634	411	1	3	.....	1	882	188
McCullough	1,395	889	.....	1	.....	.....	2,123	160
McLennan	7,635	6,035	9	52	2	1	13,329	688
McMullen	215	48	.....	.....	.....	.....	250	5
Medina	2,118	938	2	1	.....	1	2,576	462
Menard	597	431	.....	1	.....	.....	962	78
Midland	640	763	.....	2	1	11	1,296	98
Milam	3,705	1,207	2	5	.....	.....	4,857	124
Mills	1,038	525	.....	.....	.....	.....	1,497	89
Mitchell	1,019	752	.....	.....	.....	.....	1,722	112
Montague	2,090	1,219	5	13	.....	2	3,202	176
Montgomery	1,655	474	.....	.....	.....	.....	2,072	70
Moore	213	401	1	.....	.....	.....	570	43
Morris .....	.....	.....	.....	.....	.....	.....	.....	.....
Motley	524	338	1	.....	.....	.....	907	35
Nacogdoches	2,811	859	2	1	.....	.....	3,705	90
Navarro	4,273	2,624	1	3	.....	.....	6,791	297

Newton	1,403	225	1	1	.....	1,605	34
Nolan	1,550	1,055	1	3	..... 1	2,625	121
Nueces	4,471	3,045	3	11	1	7,084	557
Ochiltree	486	804	2	2	.....	1,149	152
Oldham	230	255	.....	.....	.....	442	45
Orange	2,410	647	.....	1	.....	2,935	166
Palo Pinto	1,753	1,274	1	4	.....	2,907	218
Panola	2,108	500	4	6	.....	2,664	30
Parker	1,850	1,539	4	19	1	3,296	180
Parmer	766	540	.....	8	.....	1,174	121
Pecos	902	638	1	3	.....	1,336	121
Polk	1,581	545	1	.....	.....	2,150	72
Potter	3,413	4,142	1	10	2	6,931	747
Presidio	624	332	.....	1	.....	872	73
Rains	882	96	.....	3	.....	951	29
Randall	779	941	2	1	1	1,599	139
Reagan	316	494	.....	1	.....	731	74
Real	291	181	1	.....	.....	390	74
Red River	2,358	874	4	3	.....	3,247	90
Reeves	586	613	.....	.....	.....	1,108	96
Refugio	907	474	8	2	.....	1,214	174
Roberts	177	323	.....	.....	.....	472	33
Robertson	1,981	561	1	.....	.....	2,487	95
Rockwall	956	356	1	.....	.....	1,319	36
Runnels	2,039	1,437	5	10	.....	3,096	151
Rusk	4,047	1,314	1	4	.....	5,145	261
Sabine	1,617	151	1	.....	.....	1,817	25
San Augustine	1,672	151	1	.....	.....	1,813	12
San Jacinto	699	132	.....	.....	.....	839	5
San Patricio	1,290	1,311	10	5	.....	2,416	199
San Saba	1,259	786	.....	1	.....	1,956	80
Schleicher	314	268	.....	.....	.....	547	43
Scurry	954	715	.....	1	3	1,584	117
Shackelford	833	569	4	2	.....	1,353	59
Shelby	3,097	563	.....	18	.....	3,640	65
Sherman	244	358	.....	3	.....	527	89

County	For Governor						For Lie	
	Ferguson	Bullington	Armstrong	Edwards	Howe	Hiett	Witt	Bass
Smith	5,053	2,917	6	11	1	.....	729	508
Somervell	417	195	3	3	.....	.....	616	24
Starr	712	67	.....	.....	.....	.....	753	31
Stephens	1,710	1,270	1	5	3	.....	2,773	197
Sterling	163	188	.....	.....	.....	.....	364	8
Stonewall	808	213	.....	2	.....	.....	997	34
Sutton	221	286	.....	.....	.....	.....	478	83
Swisher	820	820	.....	4	.....	.....	1,562	110
Tarrant	16,580	16,125	116	115	5	2	30,400	3,111
Taylor	2,946	2,790	2	5	1	.....	5,559	369
Terrell	318	295	.....	2	.....	.....	495	121
Terrey	1,014	501	9	10	9	1	1,471	69
Throckmorton	550	423	3	1	.....	.....	989	50
Titus	2,523	75	.....	3	1	.....	2,564	39
Tom Green	2,652	3,091	3	3	1	.....	5,243	352
Travis	8,109	5,227	3	18	1	1	12,442	1,168
Trinity	1,230	369	.....	.....	.....	.....	1,589	35
Tyler	1,079	380	.....	1	.....	.....	1,476	27
Upshur	2,346	667	5	4	.....	5	2,975	82
Upton	658	478	3	3	.....	1	1,050	70
Uvalde	1,310	848	.....	.....	.....	.....	1,937	259
Val Verde	916	914	.....	1	.....	.....	1,543	284
Van Zandt	3,396	869	6	18	.....	1	4,265	.....
Victoria	2,172	748	2	4	.....	1	2,832	142
Walker	1,391	508	.....	1	.....	1	1,863	37

Waller	958	316	.....	1	.....	.....	1,264	48	
Ward	515	236	2	1	.....	.....	702	55	
Washington	3,085	412	.....	2	.....	.....	3,427	44	
Webb	3,697	209	2	1	.....	1	4,297	627	..
Wharton	2,284	1,444	6	7	1	1	3,436	334	
Wheeler	1,514	894	1	8	1	.....	2,258	210	
Wichita	4,487	5,787	11	11	.....	1	9,292	1,119	
Wilbarger	2,213	1,272	11	5	.....	.....	3,505	108	
Willacy	837	489	2	.....	.....	.....	1,106	218	..
Williamson . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	..
Wilson	2,018	585	.....	2	.....	.....	2,513	115	
Winkler	473	271	1	4	.....	1	661	78	
Wise	1,713	1,201	2	11	.....	.....	2,798	197	
Wood	2,724	737	1	13	1	.....	3,377	138	
Yoakum . . . . .	.....	.....	.....	.....	.....	.....	.....	.....	..
Young	1,984	1,467	2	1	.....	1	3,295	193	
Zapata	265	35	.....	.....	.....	.....	277	26	..
Zavala	538	455	.....	2	.....	.....	878	122	

To the Honorable Walter Woodul, President Pro-tem of the Senate, and to the Honorable Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your committees, appointed to canvass the returns of an election, held in the State of Texas on the eighth day of November, 1932, for Governor and Lieutenant-Governor, hereby certify the following votes were cast:

For Governor

Miriam A. Ferguson.....	528,986
Orville Bullington	317,807
George Clifton Edwards	1,866
George W. Armstrong.....	706
Otho L. Heitt.....	101
Philip L. Howe.....	72
Tom Hunter	28
R. S. Sterling.....	20
Clint Small	1
R. L. Murray	1
C. B. Knobloch.....	1
Elmer Zilch	1
Jim Ferguson	1
Judge Hamilton	1
E. F. Hunter	1
Tom Jackson	1
Tom Higginbotham	1

For Lieutenant-Governor

Edgar E. Witt.....	775,762
James W. Bass.....	68,439
E. M. Lane.....	2,095
T. E. Barlow.....	126
Charles P. Smith.....	123
Jack Nolan	201
Chas. T. South.....	1

Respectfully submitted this the thirteenth day of January, 1933.

JOHN W. HORNSBY,
Chairman Senate Committee;

T. H. MCGREGOR,
Chairman House Committee.

Whereupon, Hon. Coke R. Stevenson, Speaker of the House of Representatives, made the following announcement:

"Hon. Miriam A. Ferguson having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare her duly, legally, and constitutionally elected Governor of the State of Texas for the ensuing term of two years; and Hon. Edgar Witt, having received the highest number of votes cast, I, by virtue of the authority

vested in me by the Constitution and laws of the State of Texas, declare him duly, legally, and constitutionally elected Lieutenant-Governor of the State of Texas for the ensuing term of two years."

The Speaker of the House then announced that the business of the Joint Session was concluded and delivered the election returns used in counting the vote into the hands of the Chief Clerk, Louise Snow Phinney, taking her receipt therefor, and directing her to deliver the same in person to the Secretary of State, and to take the receipt of the Secretary of State for the documents.

SENATE RETIRES

On motion of Senator Redditt, the Senate, at 4:15 o'clock p. m., retired to its Chamber.

(Mr. Mathis in the Chair.)

RECESS

On motion of Mr. Anderson of Bexar, the House, at 4:45 o'clock p. m., took recess to 10 o'clock a. m., tomorrow.

FOURTH DAY

(Continued)

(Saturday, January 14, 1933)

The House met at 10 o'clock a. m., and was called to order by Speaker Stevenson.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Clayton, Mr. Hankamer, and Mr. Jackson:

H. B. No. 50, A bill to be entitled "An Act defining the offense of embezzlement by directors, officers, agents, and attorneys at law or in fact, of incorporated companies or institutions, joint stock companies or voluntary associations, or money or property belonging to persons, firms, and corporations, other than the principal or employer of such director, etc., and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.